

Amendment Under 37 C.F.R. § 1.116

Serial No.: 10/779,880

Sughrue Ref: Q79957

**REMARKS**

Dealing with preliminary matters first, Applicants note that the Examiner has not acknowledged Applicants' claim to priority nor the receipt of the priority document. To that end, Applicants respectfully submit a copy of the Application Transmittal Letter, face of the priority document and the date stamped filing receipt of February 18, 2004. It is respectfully requested that the Examiner acknowledge Applicants' claim to priority and receipt of the priority document.

Claims 1-11 are all the claims pending in the application. Claims 1-6, 8, 10 and 11 have been rejected under § 102(e) as being anticipated by Sato, et al. (U.S. Patent No. 6,547,608). In addition, claims 1 and 9 have been rejected under § 102(e) as being anticipated by Shimizu (U.S. Patent No. 6,761,597).<sup>1</sup>

By way of this Amendment, Applicants have amended claim 1 to include the limitations of dependent claims 2 and 3. Thus, the rejection based on Shimizu is now moot.

For the following reasons, Applicants respectfully traverse the remaining rejection based on Sato, et al. Specifically, Sato, et al. does not teach or suggest the claimed female terminal in which a resilient contact piece portion extends almost parallel to an insertion direction of said male terminal *except a first curved portion*.

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<sup>1</sup> US Patent Publication 2003/0032342 (the pre-grant publication of US 10/214,569, which issued as US 6,761,597) was published on February 13, 2003. Therefore, US Patent Publication 2003/0032342 qualifies as prior art under 35 U.S.C. § 102(b).

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For example, Sato et al.'s resilient contact tongue 3C<sup>2</sup> and resilient tongue piece 30<sup>3</sup> do not have this structure. Instead, at least the distal ends of resilient contact tongue 3C and resilient tongue piece 30 are inclined with respect to a male terminal insertion direction. Likewise, Shimizu's elastic contact portion 14<sup>4</sup> is also inclined with respect to a male terminal insertion direction.

Accordingly, Applicants submit that amended claim 1 is patentable at least for the reasons discussed above. In addition, the dependent claims 1-6, 8, and 9 are patentable at least because of their dependency from claim 1.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. It is therefore requested that the application be passed to issue at the earliest convenience. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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<sup>2</sup> See Sato at Fig. 8C.

<sup>3</sup> See Sato at Fig. 6.

<sup>4</sup> See Shimizu at Fig. 2.

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Respectfully submitted,



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Date: July 22, 2005

**CERTIFICATION OF FACSIMILE TRANSMISSION**

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Tam T. Le at the Patent and Trademark Office on July 22, 2005 at (571-273-8300).

Respectfully submitted,



Brian W. Hannon